

1 MILBERG LLP  
2 JEFF S. WESTERMAN (SBN 94559)  
3 E-mail:jwesterman@milberg.com  
4 One California Plaza  
300 South Grand Ave., Suite 3900  
Los Angeles, CA 90071  
Telephone: (213) 617-1200  
Facsimile: (213) 617-1975

6 LAW OFFICES OF GEORGE A. SHOHET,  
7 A PROFESSIONAL CORPORATION  
GEORGE A. SHOHET (SBN 112697)  
E-mail: georgeshohet@gmail.com  
8 245 Main Street, Suite 310  
Venice, California 90291  
9 Telephone: (310) 452-3176  
Facsimile: (310) 452-2270

### *Proposed Co-Lead Counsel*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

AMENDED NOTICE OF MOTION FOR CONSOLIDATION, APPOINTMENT AS CO-LEAD PLAINTIFFS AND APPROVAL OF CO-LEAD PLAINTIFFS' SELECTION OF CO-LEAD COUNSEL  
Case No. C 08-02599 JSW

1 PLEASE TAKE NOTICE that the Memorandum of Law, Declaration of Jeff S.  
 2 Westerman, and a [Proposed] Order in support of this Motion was submitted on July 21, 2008.  
 3 Hanoch Ben-Tal, as Trustee for the Ben-Tal Family Trust, and Aric A. Streit and Mary Streit, as  
 4 Trustees for the Benefit of The Streit Living Trust (“Movants”), by their counsel, hereby move  
 5 this Court on October 17, 2008, at 450 Golden Gate Ave., San Francisco, California 94102, for  
 6 an order: (i) consolidating the above-captioned action with any other related actions for all  
 7 purposes pursuant to Fed. R. Civ. P. 42(a); (ii) appointing Hanoch Ben-Tal, as Trustee for the  
 8 Ben-Tal Family Trust, and Aric A. Streit and Mary Streit as Trustees for the Benefit of The Streit  
 9 Living Trust as Co-Lead Plaintiffs in the above-captioned action and any related actions alleging  
 10 violations of the securities laws; (iii) approving Movants’ selection of the law firms of Milberg  
 11 LLP (“Milberg”) and Law Offices of George A. Shohet, A Professional Corporation (“Shohet”)  
 12 to serve as Co-Lead Counsel in the Securities Actions; and (iv) granting such other and further  
 13 relief as the Court may deem just and proper.

14 Dated: July 22, 2008

MILBERG LLP  
 15 JEFF S. WESTERMAN

16 By: /s/ Jeff S. Westerman  
 17 JEFF S. WESTERMAN

18 One California Plaza  
 19 300 South Grand Avenue, Suite 3900  
 20 Los Angeles, California 90071  
 21 Telephone: (213) 617-1200  
 22 Facsimile: (213) 617-1975  
 23 E-mail: jwesterman@milberg.com

24 LAW OFFICES OF GEORGE A. SHOHET,  
 25 A PROFESSIONAL CORPORATION  
 26 GEORGE A. SHOHET  
 27 245 Main Street, Suite 310  
 28 Venice, California 90291  
 29 Telephone: (310) 452-3176  
 30 Facsimile: (310) 452-2270  
 31 E-mail: georgeshohet@gmail.com

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 34 Case No. C 08-02599 JSW

- 1 -

1 *Counsel for Hanoch Ben-Tal as Trustee of the Ben-*  
2 *Tal Family Trust and Aric A. Streit and Mary Streit*  
3 *as Trustees for the benefit of the Streit Living Trust*  
4 *and Proposed Co-Lead Counsel for the Class*

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**DECLARATION OF SERVICE BY MAIL**

1 I, the undersigned, declare:

2 1. That declarant is and was, at all times herein mentioned, employed in the County  
 3 of Los Angeles, over the age of 18 years, and not a party to or interest in the within action; that  
 4 declarant's business address is One California Plaza, 300 South Grand Avenue, Suite 3900, Los  
 5 Angeles, California 90071-3149.

6 2. That on July 22, 2008, declarant served the AMENDED NOTICE OF MOTION  
 7 OF HANOCH BEN-TAL, AS TRUSTEE FOR THE BENEFIT OF THE BENTAL FAMILY  
 8 TRUST AND ARIC A. STREIT AND MARY STREIT AS TRUSTEES FOR THE BENEFIT  
 9 OF THE STREIT LIVING TRUST, FOR CONSOLIDATION, APPOINTMENT AS CO-LEAD  
 10 PLAINTIFFS AND APPROVAL OF CO-LEAD PLAINTIFFS' SELECTION OF CO-LEAD  
 11 COUNSEL by depositing a true copy thereof in a United States mailbox at Los Angeles,  
 12 California in a sealed envelope with postage thereon fully prepaid and addressed to the parties  
 13 listed on the attached Service List.

14 3. That there is a regular communication by mail between the place of mailing and  
 15 the places so addressed.

16 4. That on the above date, declarant served via e-mail to: scac@law.stanford.edu.

17 I declare under penalty of perjury that the foregoing is true and correct. Executed this  
 18 22nd day of July, 2008, at Los Angeles, California.


21 ANN MARIE GENOVESE  
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 29 PLAINTIFFS AND APPROVAL OF CO-LEAD PLAINTIFFS' SELECTION OF CO-LEAD COUNSEL  
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*Bank of America Corporation*  
**Service List**

**Plaintiffs Counsel:**

Jeff S. Westerman  
**MILBERG LLP**  
300 South Grand Ave., Suite 3900  
Los Angeles, CA 90071  
Telephone: (213) 617-1200  
Facsimile: (213) 617-1975  
Email: [jwesterman@milberg.com](mailto:jwesterman@milberg.com)

George A. Shohet  
**LAW OFFICES OF GEORGE A. SHOHET,  
A PROFESSIONAL CORPORATION**  
245 Main Street, Suite 310  
Venice, CA 90291  
Telephone: (310) 452-3176  
Email: [georgeshohet@gmail.com](mailto:georgeshohet@gmail.com)

Daniel C. Girard  
Jonathan K. Levine  
**GIRARD GIBBS LLP**  
601 California Street, 14<sup>th</sup> Floor  
San Francisco, CA 94108  
Telephone: (415) 981-4800  
Facsimile: (415) 981-4846  
Email: [dcg@girardgibbs.com](mailto:dcg@girardgibbs.com)  
[ikl@girardgibbs.com](mailto:ikl@girardgibbs.com)

Norman E. Siegel  
**STUEVE SIEGEL HANSON LLP**  
460 Nichols Road, Suite 200  
Kansas City, MO 64112  
Telephone: (816) 714-7100  
Facsimile: (816) 714) 7101  
Email: [siegel@stuevesiegel.com](mailto:siegel@stuevesiegel.com)

Christopher S. Seeger  
Steven A. Weiss  
David R. Buchanan  
**SEEGER WEISS LLP**  
One William Street  
New York, NY 10004  
Telephone: (212) 584-0700  
Facsimile: (212) 584-0799  
Email: [cseeger@seegerweiss.com](mailto:cseeger@seegerweiss.com)  
[sweiss@seegerweiss.com](mailto:sweiss@seegerweiss.com)  
[dbuchanan@seegerweiss.com](mailto:dbuchanan@seegerweiss.com)

Eileen L. McGeever  
**RUSHALL & MC GEEVER**  
6100 Innovation Way  
Carlsbad, CA 92009  
Telephone: (760) 438-6855  
Facsimile: (760) 438-3026  
Email: [RM@rushallmcgeever.com](mailto:RM@rushallmcgeever.com)

Shawn Khorrami  
**KHORRAMI POLLARD & ABIR LLP**  
444 S. Flower Street, 33<sup>rd</sup> Floor  
Los Angeles, CA 90071  
Telephone: (213) 596-6000  
Facsimile: (213) 596-6010  
Email: SKhorrami@kpalawyers.com

1 **Defendants Counsel:**

2 Debra S. Belaga  
3 Aaron M. Rofkahr  
4 **O'MELVENY & MYERS LLP**  
5 Embarcadero Center West  
6 275 Battery Street, Ste. 2600  
7 San Francisco, CA 94111-3305  
8 Telephone: (415) 984-8700  
9 Facsimile: (415) 984-8701  
10 Email: [dbelaga@omm.com](mailto:dbelaga@omm.com)  
11 [arofkahr@omm.com](mailto:arofkahr@omm.com)

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